

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

SHAHEED TAALIB'DIN MADYUN,

Plaintiff,

v.

CAPT. BRUCE MURASKI; DON STRAHOTA;
CAPT. O'DONOVAN; SGT. VOSS;
and CAPT. WIERENGA,

Defendants.

ORDER

07-cv-318-bbc

Plaintiff Madyun is a frequent filer who has struck out under 28 U.S.C. § 1915(g). His complaint in this case has been severed into six separate lawsuits, following a decision by the Court of Appeals for the Seventh Circuit in George v. Smith, directing district courts to apply Rule 20 to prisoner cases so as to insure that prisoners are not “dodging” the fee payment and three strikes provisions in the Prison Litigation Reform Act. Now before the court is plaintiff’s motion to reconsider the September 21, 2007 order denying an earlier request for appointment of counsel.

Unfortunately for plaintiff, his motion must be denied, not only for the reasons I expressed in the September 21 order, but because his three-strikes status renders him

ineligible to utilize any portion of the in forma pauperis statute, 28 U.S.C. § 1915, including the provision for court-appointed counsel, § 1915(e)(1). See, e.g., Newlin v. Helman, 123 F.3d 429, 433 (7th Cir. 1997) (prisoner denied in forma pauperis status because appeal taken in bad faith ineligible to use partial-prepayment method because PLRA-IFP structure has been ruled inapplicable).

ORDER

IT IS ORDERED that plaintiff's motion to reconsider the September 21, 2007 order denying an earlier request for appointment of counsel (dkt. #38) is DENIED.

Entered this 19th day of February, 2008.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge